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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/767,969
		Filing Date	01/28/2004
		First Named Inventor	Makoto Umebayashi, et al.
		Art Unit	3753
		Examiner Name	John K. Ford
Total Number of Pages in This Submission		Attorney Docket Number	4041K-000172

ENCLOSURES (check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
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| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Michael J. Schmidt	Reg. No. 34,007
Signature			
Date	October 6, 2006		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Signature		Date	October 6, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 757 778 074 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 10/767,969

Filing Date: 01/28/2004

Applicant: Makoto Umebayashi, et al.

Group Art Unit: 3753

Examiner: John K. Ford

Title: AIR CONDITIONER FOR VEHICLE USE

Confirmation No.: 5676

Attorney Docket: 4041K-000172

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ELECTION OF SPECIES

Sir:

In response to the Office Action mailed September 14, 2006, Paper No./Mail Date 20060911, please consider the following.

The Examiner has required an election of species pursuant to 35 U.S.C. § 121 to one of the following patentably distinct species:

- I. The species principally illustrated in Figure 12;
- II. The species principally illustrated in Figure 13;
- III. The species principally illustrated in Figure 14;
- IV. The species principally illustrated in Figure 15;

- V. The species principally illustrated in Figures 16-17;
- VI. The species principally illustrated in Figure 18;
- VII. The species principally illustrated in Figure 19 (wireless);
- VIII. The species principally illustrated in Figure 20;
- IX. The species principally illustrated in Figure 21;
- X. The species principally illustrated in Figure 22;
- XI. The species principally illustrated in Figure 23; and,
- XII. An in-determinant number of additional un-illustrated species disclosed at page 32, line 25-page 34, line 2.

Applicants, without traverse, respectfully request the Examiner to proceed with Species I principally illustrated in Figure 12. Applicants believe that Claims 1, 3, 4, 5 and 8 read on the elected species. Applicants request that the non-elected Claims be held in abeyance for possible rejoinder and/or further prosecution in future divisional and/or continuation applications.

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: October 6, 2006 By:
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600



~~Michael J. Schmidt
Reg. No. 34,007~~

MJS/pmg